

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**AVERY WHEELER**

**PETITIONER**

**V.**

**CIVIL ACTION NO. 3:16-CV-846-HTW-LRA**

**WARDEN LARRY SHULTZ**

**RESPONDENT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter comes before this Court pursuant to the Report and Recommendation of United States Magistrate Judge Linda R. Anderson. Said document was filed on November 18, 2019.

[**Docket no. 24**]. To date, no written objections to the proposed findings, conclusions, and recommendation contained within the Magistrate Judge's Report and Recommendation have been filed. This Court, therefore, finds the Report and Recommendation [**Docket no. 24**] is well-taken and hereby **ADOPTS** the same as the order of this Court.

Further, this Court hereby **DISMISSES** this lawsuit without prejudice. The parties are to bear their own costs.

**SO ORDERED AND ADJUDGED this the 18th day of December, 2019.**

**/s/HENRY T. WINGATE**  
**UNITED STATES DISTRICT COURT JUDGE**